

## REMARKS

Claims 1-42 are pending in the application.

Claims 16-24 are allowed.

Claims 1-3, 25-26, 31-33 and 35 were rejected under 35 U.S.C. 102(b).

Claims 5, 10-13 and 36 were rejected under 35 U.S.C. 103(a).

Claims 1, 25, and 33 are currently amended.

Claims 40-42 are new.

Applicant requests reconsideration and allowance of the claims in light of the above amendments and following remarks.

### *Allowable Subject Matter*

Claims 16-24 are allowed.

Also, the Examiner states that claims 4, 6-9, 14-15, 27-30, 34 and 37-39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

New claim 40 is a combination of the limitations of claims 1, 2, and 4.

New claim 41 is a combination of the limitations of claims 1 and 6.

New claim 42 is a combination of the limitations of claims 33 and 34.

Thus, claims 40-42 are in condition for allowance, as the Examiner has stated, regarding the objected claims 4, 6, and 34.

### *Claim Rejections – 35 U.S.C. § 102*

Claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by Muraoka (5,772,738).

Applicant respectfully traverses the rejection.

Claim 1 has been amended to add limitations that recite each of the first ozone absorption layer, the first nitrogen oxide absorption layer, and the second ozone absorption layer are substantially planer and directly disposed on each other. These added limitations are supported in

the Specification, for example, in FIGS. 2-4 and 6. Each of these figures show embodiments having planer layers of filter materials.

Muraoka fails to teach or show the limitations of claim 1, particularly the added limitations. The Examiner points out that Muraoka anticipates claim 1 by teaching a first fabric filter 4 including activated carbon, and at least one second fabric filter including activated carbon having potassium permanganate attached, and an embodiment having two second fabric filters will further anticipate the filter of claim 1. However, Muraoka does not anticipate a substantially planer first ozone absorption layer, a first nitrogen oxide absorption layer, and a second ozone absorption layer that are directly disposed on each other. For example, FIG. 1 shows corrugated, non-planer first fabric filter 4 and filter element 5. Because these filters are not planer, as required by claim 1, Muraoka fails to teach each and every limitation of claim 1.

Claims 1-3, 25-26, 31-33 and 35 were rejected under 35 U.S.C. 102(b) as being anticipated by Stemmer, et al. (6,156,089).

Applicant respectfully traverses the rejection.

Claims 25 and 33 have been amended to include the same limitations as those added to claim 1, discussed above.

Stemmer fails to teach or show the limitations of claims 1, 25, and 33, particularly the added limitations. The Examiner points out that Stemmer anticipates these claims by teaching a two-stage air filter comprising three layers, 422, 424, and 250, that are inherently capable of adsorbing ozone and nitrogen oxides from a gas stream. However, Stemmer does not anticipate a substantially planer first ozone absorption layer, a first nitrogen oxide absorption layer, and a second ozone absorption layer that are directly disposed on each other. For example, FIG. 7 shows first, second, and third filtering material 422, 424, and 250 with two intervening support members 312 and a precipitation chamber 314 between the second and third filtering materials 424 and 250. Thus, each of the filtering materials is not directly disposed on each other, as required by claims 1, 25, and 33. For at least this reason, Stemmer does not teach each and every limitation of these claims.

Claims 2-3, 26, 31, 32, and 35 depend upon claims 1, 25, and 33, respectively, and inherently include all of the limitations of their respective base claim. As discussed above, the prior art does not teach the limitations of the base claim much less the further limitations of the

dependent claims. Therefore, claims 2-3, 26, 31, 32, and 35 are allowable for their dependency and their own merits. Applicant requests allowance of these claims.

***Claim Rejections – 35 U.S.C. § 103***

Claims 5, 10-13, and 36 were rejected under 35 U.S.C. 103(a) as being unpatentable over Stemmer, et al. '089.

Claims 5, 10-13, and 36 depend upon claims 1 and 33, respectively, and inherently include all of the limitations of their respective base claim. As discussed above, the prior art does not teach the limitations of the base claim much less the further limitations of the dependent claims. Therefore, claims 5, 10-13, and 36 are allowable for their dependency and their own merits. Applicant requests allowance of these claims.

For the foregoing reasons, reconsideration and allowance of claims 1-41 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.



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Hosoon Lee  
Reg. No. 56,737

MARGER JOHNSON & McCOLLOM, P.C.  
210 SW Morrison Street, Suite 400  
Portland, OR 97204  
503-222-3613  
**Customer No. 20575**